

Message

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**From:** McGill, Thomas [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=658C6D5FD504462594AECDB5ECA57661-MCGILL, THOMAS]  
**Sent:** 10/13/2020 3:34:52 PM  
**To:** Laycock, Kelly [Laycock.Kelly@epa.gov]; Beck, Whitney [beck.whitney@epa.gov]; Hurl, Kathy [Hurl.Kathy@epa.gov]; Creswell, Michael [Creswell.Michael@epa.gov]; Nagrani, Kavita [Nagrani.Kavita@epa.gov]; Armor, Suzanne [Armor.Suzanne@epa.gov]  
**Subject:** FW: Deliberative: Do Not Release - FL Assumption- Draft Programmatic Agreement  
**Attachments:** Draft 404 Programmatic Agreement (10-9-20).docx

FYI...

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**From:** Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>  
**Sent:** Tuesday, October 13, 2020 11:27 AM  
**To:** McGill, Thomas <McGill.Thomas@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>; Hicks, Matt <Hicks.Matthew@epa.gov>  
**Subject:** FW: Deliberative: Do Not Release - FL Assumption- Draft Programmatic Agreement

Sorry all – I thought I copied you on this.

jmg

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**From:** Gettle, Jeaneanne  
**Sent:** Friday, October 9, 2020 6:37 PM  
**To:** Ross, David P <ross.davidp@epa.gov>; Fotouhi, David <fotouhi.david@epa.gov>; Walker, Mary <walker.mary@epa.gov>  
**Cc:** Goodin, John <Goodin.John@epa.gov>; Eisenberg, Mindy <Eisenberg.Mindy@epa.gov>; Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Wehling, Carrie <Wehling.Carrie@epa.gov>; Marshall, Tom <marshall.tom@epa.gov>; Palmer, Leif <Palmer.Leif@epa.gov>; Ghosh, Mita <ghosh.mita@epa.gov>; Aguirre, Janita <Aguirre.Janita@epa.gov>; Kramer, Jessica L. <kramer.jessical@epa.gov>  
**Subject:** Deliberative: Do Not Release - FL Assumption- Draft Programmatic Agreement

Deliberative – Do Not Release

Dave, David and Mary,

Included with this email is a draft Programmatic Agreement to address Section 106 of the National Historic Preservation Act as it relates to Florida's submitted request to administer a permit program for CWA Section 404. The FL assumption team has coordinated the current draft with OGC staff and management (Water Law Office and Cross Cutting Issues Law Office), OWOW staff and management (John Goodin), and EPA Region 4 staff and management (Leif Palmer and me). Below is some background on this draft document.

We also plan to go over this document as part of next weeks bi-weekly. At that time, we will review our approach, some of the comments we have already received from the consulting Tribes and hope to discuss next steps and timing with you as well.

I hope that you each have a great weekend and holiday. I look forward to talking with you next week.

Thanks  
Jeaneanne

# Ex. 5 Deliberative Process (DP)

## Current Consultation with the Indian Tribes

Region 4 invited eight Indian tribes to engage in consultation under Section 106 of the National Historic Preservation Act. As of October 8<sup>th</sup>, we have completed initial NHPA 106 consultation with four of the five tribes that have asked to consult: the Seminole Tribe of Florida, the Choctaw Nation of Oklahoma, the Poarch Band of Creek Indians, and the Miccosukee Tribe of Indians of Florida. We anticipate consulting with the fifth tribe that has requested to consult, the Muscogee (Creek) Nation, the week of October 12<sup>th</sup>. We plan to send letters closing out consultation with the other three tribes soon. The Seminole Tribe of Florida has asked to be an invited signatory to the PA and we anticipate other tribes will want to be signatories as well.